



EX PARTE OR LATE FILED

February 1, 2005

ORIGINAL

Marlene H. Dortch, Esq
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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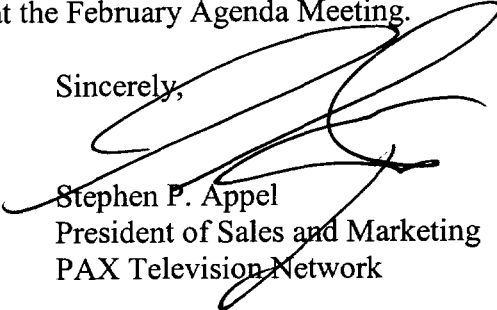
Federal Communications Commission
Office of Secretary

RE: Ex Parte Notice – Digital Must Carry
CS Docket No. 98-120

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the FCC's Rules, this letter will report that on January 31, 2005, the undersigned met with Commissioner Kathleen Abernathy to discuss the Commission's pending consideration of multicast must carry. In my conversation with the Commissioner, I noted the importance to the viewing public of full digital must carry and of the importance of full digital must carry for new and emerging networks such as PaxTV. We discussed the record that had been developed in this proceeding and I urged the Commissioner to consider supporting full digital must carry or, at least, considering whether the matter is ripe for review at the February Agenda Meeting.

Sincerely,


Stephen P. Appel
President of Sales and Marketing
PAX Television Network

cc: Matthew Brill

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